

MARK STEVEN KIRK
10TH DISTRICT, ILLINOIS

COMMITTEE ON
APPROPRIATIONS

SUBCOMMITTEES:
STATE, FOREIGN OPERATIONS, AND
RELATED AGENCIES
FINANCIAL SERVICES AND
GENERAL GOVERNMENT

Congress of the United States
House of Representatives
Washington, DC 20515-1310

September 23, 2009

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President Barack Obama
The White House
1600 Pennsylvania Ave, NW
Washington, D.C.

Dear Mr. President:

Earlier today, Libyan leader Muammar el-Qaddafi stood before the United Nations General Assembly and called the U.N. Security Council a "Terror Council." Qaddafi went on to suggest the State of Israel was behind the assassination of President John F. Kennedy and that the H1N1 flu might be a military or corporate weapon.

Last month, when Scotland freed Abel Baset Megrahi, the only man convicted in the bombing of Pan Am Flight 103, Qaddafi greeted him with a hero's welcome. As you know, Megrahi was accompanied back to Libya by Qaddafi's son, Saif, who was involved in the negotiations for Megrahi's release.

At the time, you expressed your disappointment over Megrahi's release and called it a mistake. Attorney General Holder said, "There is simply no justification for releasing this convicted terrorist whose actions took the lives of 270 individuals, including 189 Americans."

That is why, as a member of the House Appropriations Subcommittee on State-Foreign Operations, I was disturbed by a congressional notification dated September 15, 2009 (enclosed), informing our Committee of the State Department's intent to provide \$200,000 to Saif Qaddafi's foundation and another \$200,000 to an organization run by Muammar Qaddafi's daughter, Aisha.

Just weeks after the Qaddafi family celebrated the return of a terrorist responsible for the murders of 189 Americans, the U.S. taxpayer should not be asked to reward them with \$400,000. For the sake of the victims' families who have endured so much pain these last few weeks, I ask you to withdraw your Administration's request.

Sincerely,



Mark Steven Kirk
Member of Congress

Enclosure



United States Department of State

Washington, D.C. 20520

09 246

SEP 15 2009

CONGRESSIONAL NOTIFICATION TRANSMITTAL SHEET

We wish to inform you of the intent to obligate Fiscal Year 2009 ESF Funds by the agency listed below. This notification is being submitted on behalf of the Bureau of Near Eastern Affairs (NEA).

- Department of State - \$2,500,000

The funds will be used to support programs by U.S. government agencies in Libya. The programs are explained further in the attachment.

The attached notification is being sent to Congress on
Obligations may be incurred in fifteen days.

SEP 15 2009

Sincerely,

Richard R. Verma
Assistant Secretary
Legislative Affairs

Enclosure:

As stated.

**UNITED STATES DEPARTMENT OF STATE
CONGRESSIONAL NOTIFICATION**

PROGRAM: Libya

APPROPRIATION CATEGORY: Economic Support Fund (ESF)

PROJECT TITLE: Governing Justly and Democratically,
Investing in People, and Economic
Growth

INTENDED FY 2009 OBLIGATION: \$2,500,000

In accordance with section 634A of the Foreign Assistance Act of 1961, as amended, as well as sections 7015(c) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2009 (Div. H, P.L. 111-8), this notification is to advise of our intent to program \$2,500,000 in Fiscal Year 2009 Economic Support Funds (ESF) for Democracy and Governance in Libya.

2 Governing Justly and Democratically – (\$1,000,000)

2.1 Rule of Law and Human Rights, 2.1.3 Justice System: Foster exchanges between legal professionals, including academics and bar associations – (\$300,000)

Three hundred thousand dollars (\$300,000) will be used to foster exchanges between legal professionals, including academics and bar associations, to promote judicial independence and legal professionalism. Following 30 years of isolation, Libyan legal professionals have limited experience with external justice systems. As Libya seeks to increase foreign investment, its economic development and diversification depend on highly-trained legal professionals that understand both Libyan law and international legal standards. Fostering linkages between Libyan legal associations and their American counterparts will strengthen judicial independence while developing a society dependent on rule of law.

2.2 Good Governance, 2.2.2 Public Sector Executive Function: Providing assistance in migration and labor management policy formation – (\$500,000)

Five hundred thousand dollars (\$500,000) will be used to provide assistance

to the Government of Libya to develop migration and labor management policies. Libya continues to formalize and rationalize its policies regarding labor and migration management. The estimated 1.5-2 million irregular migrants present significant public policy problems in a country of approximately 6 million citizens. European governments have focused their assistance on sea and land border controls and returning irregular migrants in distress to their countries of origin. Focusing our engagement on conducting workshops for policy makers to develop migration management (rationalizing guest worker programs, increasing law enforcement capacity to combat trafficking in persons and smuggling, and regularizing care for at-risk populations) will lead to more effective and transparent policies.

2.4 Civil Society, 2.4.1 Civic Participation: Assisting indigenous NGOs identify potential for reform – (\$200,000)

Two hundred thousand dollars (\$200,000) would be used to train staff from the Qadhafi Development Foundation (QDF), a quasi-governmental organization recognized by the UN as an NGO, to effectively lobby and implement proposed reform policies, including establishing a civil society. QDF, which is one of the two quasi-governmental organizations in Libya, has publicly called for governmental reform and greater transparency. The QDF, however, lacks the expertise to advise the Government of Libya on practical steps forward. Capacity building exercises and exchanges with U.S. and international NGOs will help the QDF and other Libyan organizations increase transparency and make them more reliable partners. Training QDF staff will also develop its capacity to effectively lobby and implement political and economic reforms.

3 Investing in People – (\$1,000,000)

3.1 Health, 3.1.5 Other Public Health Threats: Enhance and expand delivery of healthcare, particularly in the field of infectious disease – (\$500,000)

Five hundred thousand dollars (\$500,000) would be used to help the Government of Libya enhance and expand the delivery of healthcare, particularly care related to infectious diseases. The U.S. government, European states, and private companies have successfully partnered with the Government of Libya to improve the quality of care and treatment for victims of AIDS, and that success can be replicated in raising the public awareness of and preventing infectious diseases. Such an effort will improve the overall quality of healthcare and provide much-needed professional employment for Libyans entering the workforce. Funds will

be used to bring Libyan protocols up to international standards through training and developing the capacity of national laboratories.

3.2 Education. 3.2.2 Higher Education: Assist with higher education reform – (\$500,000)

Five hundred thousand dollars (\$500,000) will be used to prepare younger generations of students to enter leadership roles in Libya and to train educators in modern teaching methods. As Libyan society opens after decades of isolation, higher education reform will be critical to the country's future development. Higher education reform is particularly important in key sectors, such as English, science, and technology. Preparing students to enter leadership roles in their country will be essential to democratization and the development of a free market economy. Likewise, it is important to train educators in modern teaching methods in order to better prepare students for professional and leadership roles.

4 Economic Growth – (\$500,000)

4.6 Private Sector Competitiveness, 4.6.2 Private Sector Capacity: Train Corporate Boards of Directors in Strategic Planning/Roles and Responsibilities – (\$300,000)

Three hundred thousand dollars (\$300,000) will be used to train corporate boards of directors in strategic planning, roles, and responsibilities as public companies become privatized. As businesses make the transition from public ownership to private management, training board members in free-market principles, business ethics, market strategies, and shareholder rights and responsibilities will be essential to ensure a more transparent system. Engagement with and guidance from international partners will reduce the prevalence of corruption and nepotism during the transition.

4.7 Economic Opportunity, 4.7.4 Inclusive Economic Law and Property Rights: Promote Women's Economic Opportunities – (\$200,000)

Two hundred thousand dollars (\$200,000) will be used to promote women's economic opportunities and empowerment initiatives, including programs that promote professional development, female entrepreneurship and education. Libya remains a largely traditional society, with economic activity generally limited to male participation. Current data on the role of women in the commercial sector is incomplete; an assessment will be necessary to determine which programs will be

most successful. Furthermore, as Libya's economy modernizes, it is crucial that frameworks exist by which women have equal access to finance and business-management technical assistance. Empowerment initiatives for women will help them seize entrepreneurial opportunities in Libya.